## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:10-CR-00243-RJC-DCK

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**THIS MATTER** is before the Court upon the defendant's Motion for Continued Release Pending Appeal, (Doc. No. 75).

Following the defendant's sentencing hearing, the Court allowed him to remain on conditions of release pending designation to a Bureau of Prisons institution. 18 U.S.C. § 3143(a)(1). To remain released pending appeal, a defendant must show that the appeal is not for the purpose of delay and raises a substantial question of law or fact likely to result in reversal, a new trial, a sentence without imprisonment, a sentence reduced below the time necessary for an appeal. 18 U.S.C. § 3143(b)(1)(B). Considering the issues noted by the defendant his motion and the entire record of this case, the Court finds that he has failed to establish that such a result is likely on appeal.

IT IS, THEREFORE, ORDERED that the defendant's motion (Doc. No. 75) is

DENIED and that he shall report for service of his sentence as notified by the United States

Marshal. Until then, all previously imposed conditions of release remain in effect.

Signed: April 26, 2013

Bobert J. Conrad, Jr.

Chief United States District Judge